

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00508

John A. Grimes,
Plaintiff,

v.

Unknown Holman et al.,
Defendants.

O R D E R

Plaintiff John A. Grimes, an inmate of the Texas Department of Criminal Justice proceeding pro se, asserted a claim of excessive heat that was unrelated to the other claims in his previous civil rights lawsuit under 42 U.S.C. § 1983. Doc. 2. Accordingly, the court severed the heat claim into this new action (Doc. 1), which was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b).

On December 14, 2023, the magistrate judge issued a report recommending that this case be dismissed without prejudice due to plaintiff's failure to comply with the court's order to satisfy the filing fee requirement for this case and to file an amended complaint. Doc. 6. A copy of the report was mailed to plaintiff, who received it on December 22, 2023, but he did not file written objections. Doc. 8.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. This case is dismissed without prejudice.

So ordered by the court on February 14, 2024.



J. CAMPBELL BARKER
United States District Judge